

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

STEVEN DUANE GREEN,

Defendant.

4:05CR3107

MEMORANDUM AND ORDER

IT IS ORDERED,

- 1) The above-named defendant shall be detained until further order, because:
 - The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3153 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant is not likely to fail to appear or pose a danger to the safety of any person or the community.
 - The Court's findings are based on the evidence presented in court and that contained in the court's records, and includes the following: the defendant's past failures to appear, his termination from court-ordered drug treatment for excessive absences, and his alleged conduct of selling drugs to an undercover officer.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.
- 3) The defendant waived his right to a preliminary hearing.

February 9, 2012

BY THE COURT:

s/Cheryl R. Zwart
Cheryl R. Zwart
United States Magistrate Judge